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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Lawrence P Kessler
Patent Department
NexPress Solutions LLC
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Rochester, NY 14653-7001

EXAMINER

THOMPSON, JAMES A

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/630,435

Applicant(s)

TAI ET AL.

Examiner

James A Thompson

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (US Patent 5,790,282) in view of Yamaguchi (US Patent 5,832,301).

The system of claim 12 performs the method of claim 1. Claims 1 and 12 are therefore discussed together.

Claims 8 and 9 disclose the same limitations and are therefore discussed together.

The limitations of claim 10 are embodied in the limitations of claim 11. Claims 10 and 11 are therefore discussed together.

Regarding claims 1 and 12: Hayashi discloses an image processing system (figure 2 of Hayashi) comprising a lookup table (RAM) (column 5, lines 18-25 of Hayashi) that stores image data suited to adjust color saturation of an input image (column 4, lines 34-40 of Hayashi) in accordance with a personal preference of an operator (column 5, lines 10-17 of Hayashi). Said image processing system stores the image data in RAM (column 5, lines 18-25 of Hayashi), said RAM controlled by the CPU (column 5, lines 7-9 of Hayashi). Accessing data from said RAM is essentially the same

Art Unit: 2624

as accessing from a lookup table since each element of said image data must be addressed by a specific RAM memory address in order to be properly accessed.

Said system further comprises a first input (figure 2(FIFO between 41 and 42) of Hayashi) for providing continuous tone gray level image data of pixels forming a part of a color separation image (column 4, lines 18-24 of Hayashi). The input image is judged based on color separation data, specifically for the color density of cyan, magenta and yellow (column 4, lines 18-21 of Hayashi). Said color separation data is passed through the FIFO between 41 and 42 of figure 2 of Hayashi to the rest of the system (column 4, lines 22-24 of Hayashi).

Said system further comprises a second input (figure 2(10) of Hayashi) for providing a color tweaking input (β) by an operator representing an adjustment to color saturation (column 5, lines 29-34 of Hayashi) in accordance with a personal preference of the operator (figure 2(10) and column 5, lines 10-17 of Hayashi).

Hayashi further discloses that said lookup table (RAM) is responsive to said first input (column 4, lines 12-14 of Hayashi) and said second input (column 5, lines 29-34 of Hayashi) to provide image data adjusted in color saturation for the pixels (column 4, lines 22-32 of Hayashi) in accordance with the preference as represented by the color tweaking input (column 5, lines 29-34 of Hayashi). The RAM, controlled by the CPU (column 5, lines 7-9 of Hayashi), stores the image data modified by the color correction circuit (column 5, lines 18-25 of Hayashi). Said color correction circuit (figure 2(43) of Hayashi) performs the saturation adjustment (column 5, lines 18-20 of Hayashi), the result of which is stored in the RAM (column 5, lines 20-25 of Hayashi).

Said system further comprises a processing device (figure 2(47) of Hayashi) that subjects the adjusted image data to render the adjusted data in accordance with a halftone algorithm (column 5, lines 1-6 of Hayashi).

Hayashi does not disclose expressly that said continuous tone gray level image data is already rasterized; and that said adjustment to color saturation is a last-minute all points adjustable tuning that is performed without re-rasterizing the image data.

Yamaguchi discloses processing continuous tone gray level image data that has already been rasterized (column 5, lines 11-13 of Yamaguchi). Raster image data would inherently be continuous tone gray level image data since said raster image data is used to represent a plurality of colors (column 5, lines 16-17 of Yamaguchi).

Yamaguchi further discloses adjusting various attributes, including color attributes, to said rasterized data (column 5, lines 16-20 of Yamaguchi) as a last-minute all points adjustable tuning that is performed without re-rasterizing the image data (column 5, lines 20-22 of Yamaguchi). Since the data stored is raster image data in a raster image storage unit (figure 6(700) and column 5, lines 9-14 of Yamaguchi), the image editing controller performs image editing on said raster image data (column 5, lines 16-20 of Yamaguchi), and the data is then output directly (column 5, lines 20-22 of Yamaguchi), then said attributes of said raster image data are adjusted as a last-minute all points adjustable tuning that is performed without re-rasterizing the image data.

Hayashi and Yamaguchi are combinable because they are from the same field of endeavor, namely halftoning and image processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the system of

Yamaguchi to image data that has already been rasterized and modify said rasterized data directly, without re-rasterizing, as taught by Yamaguchi, said modifications including adjusting color saturation, as also taught by Yamaguchi. The motivation for doing so would have been that such a system would allow a user on a system with multiple users to perform real-time operations without hindering printing operations by ordinary queue control (column 1, lines 51-57 of Yamaguchi). Therefore, it would have been obvious to combine Yamaguchi with Hayashi to obtain the invention as specified in claims 1 and 12.

Regarding claim 2: Hayashi discloses subjecting data represented by the third signal to a first halftone process (figure 2(46) and column 4, lines 63-67 of Hayashi) and a second halftone process (figure 2(47) and column 4, line 67 to column 5, line 3 of Hayashi), and then blending the respective outputs from said first and second halftone processes (figure 2(48) and column 5, lines 3-6 of Hayashi). The image data of said third signal is saturation adjusted by the color correction circuit (figure 2(43) and column 5, lines 18-20 of Hayashi). Said image data is then sent through two halftone processing devices. Said devices are the image quality correction circuit (figure 2(46) and column 4, lines 63-67 of Hayashi) and the gradation adjustment circuit (figure 2(47) and column 4, line 67 to column 5, line 3 of Hayashi). Since the CMYK halftone data is processed by passing said CMYK halftone data successively through said image quality correction circuit and said gradation adjustment circuit, said CMYK halftone data is effectively blended since factors from both operations have adjusted said CMYK

halftone data before being sent to the output processor (figure 2(48) and column 5, lines 3-6 of Hayashi).

Regarding claim 3: Hayashi discloses third signals representing adjustment in color saturation in accordance with the operator adjustable color tweaking inputs (column 5, lines 10-17 of Hayashi). β is used to adjust the image data with respect to color saturation (column 6, lines 16-22 of Hayashi) and can be adjusted by an operator (column 5, lines 29-31 of Hayashi). The color tweaking is performed based on the inputs of plural neighboring pixels since the data is based on minimum and maximum image data (column 6, lines 2-16 of Hayashi), which would inherently require an area of pixels.

The image quality correction circuit (figure 2(46) of Hayashi) and the gradation adjustment processor (figure 2(47) of Hayashi) each process the halftone data before said halftone data is output (column 4, line 64 to column 5, line 6 of Hayashi). The factors by which said halftone data is altered as said halftone data passes through said image quality correction circuit and said gradation adjustment processor are essentially the blending coefficients. Said blending coefficients are determined by factors such as how much outline emphasis or how much image softening is desired (column 4, lines 65-67 of Hayashi). Therefore, said third signals are examined for determination of blending coefficients and in the step of blending are obtained in accordance with respective blending coefficients.

Regarding claims 8 and 9: Hayashi discloses that the first (column 4, lines 12-14 of Hayashi) and second signals (column 5, lines 29-34 of Hayashi) are input into a

lookup table. The first signal, which corresponds to the image data, is stored in RAM (column 5, lines 18-25 of Hayashi), said RAM controlled by the CPU (column 5, lines 7-9 of Hayashi). Said CPU centrally controls the inputs and the operations of the system (column 5, lines 7-9 of Hayashi). Said second signal is a variable (β) that designates the level of saturation adjustment (column 6, lines 33-36 of Hayashi). In order to process the image data with respect to β , the variable β must inherently be stored in memory. β would be stored in RAM since the CPU controls the operations of the image processor (column 5, lines 7-9 of Hayashi). Storing said first and second signals in RAM is essentially the same as storing said first and second signals in a lookup table since each element of said first and second signals must be addressed by a specific RAM memory address in order to be properly accessed.

Regarding claims 10 and 11: Hayashi discloses that image data is recorded on an electrostatographic recording surface (column 3, lines 35-54 of Hayashi) as a color separation image (column 3, lines 33-34 and lines 60-67 of Hayashi), and plural color separation images are recorded and eventually transferred to a receiver sheet in superposed registered relationship (column 3, lines 54-59 of Hayashi).

Further regarding claim 11, Hayashi discloses that said recording and said transferring are performed to form a process color image (column 3, lines 60-67 of Hayashi).

3. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (US Patent 5,790,282) in view of Yamaguchi (US Patent 5,832,301) and Miller (US Patent 5,731,823).

Claims 4 and 5 disclose the same limitations and are therefore discussed together.

Regarding claims 4 and 5: Hayashi discloses the step of modifying the output of the blending operation into a binary image file. After the image data is processed, said image data is sent to the output control circuit, which then generates the signals needed to output said image data (column 5, lines 1-6 of Hayashi). In order to output said image data after processing, the creation of a binary image file for the output in some form, whether on a hard drive, in RAM, *et cetera*, is inherently required. Otherwise, there would no longer be any data to access for the purpose of output.

Hayashi in view of Yamaguchi does not disclose expressly subjecting the binary image file to an edge enhancement process to reduce jaggedness in the image.

Miller discloses subjecting the binary image file to an edge enhancement process to reduce jaggedness in the image (column 9, lines 50-52 of Miller).

Hayashi in view of Yamaguchi is combinable with Miller because they are from the same field of endeavor, namely halftoning and image processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to enhance the edges in the binary image file, thus reducing the jaggedness in the image. The motivation for doing so would have been to enhance the edge definition in the image (column 9, lines 51-52 of Miller). Therefore, it would have been obvious to combine

Miller with Hayashi in view of Yamaguchi to obtain the invention as specified in claims 4 and 5.

Regarding claim 6: Hayashi discloses color tweaking image data (column 5, lines 52-57 of Hayashi).

Hayashi in view of Yamaguchi does not disclose expressly modifying image data subsequent to color tweaking to an edge enhancement process to reduce jaggedness in the image.

Miller discloses modifying image data by edge enhancement process to reduce jaggedness in the image (figure 3a(92) and column 7, lines 55-57 of Miller). Edge enhancement is performed before many of the other operations (figure 3a(108) and column 8, lines 54-67 of Miller), such as color adjustment (or "tweaking") (column 8, lines 64-67 of Miller).

Hayashi in view of Yamaguchi is combinable with Miller because they are from the same field of endeavor, namely halftoning and image processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to enhance the edges in the image data, thus reducing the jaggedness, prior to color tweaking. The motivation for doing so would have been to adjust for the attributes of a particular printing device (column 8, lines 62-64 of Miller). Therefore, it would have been obvious to combine Miller with Hayashi in view of Yamaguchi to obtain the invention as specified in claim 6.

Regarding claim 7: Hayashi discloses color tweaking image data (column 5, lines 52-57 of Hayashi). Furthermore, it is inherent that said image data is in the form of

a binary image data file. In order to manipulate said image data, the creation of a binary image file for the output in some form, whether on a hard drive, in RAM, *et cetera*, is inherently required. Otherwise, there would no longer be any data to access by a computer or other digital device.

Hayashi in view of Yamaguchi does not disclose expressly modifying image data subsequent to color tweaking and subjecting said image data to an edge enhancement process to reduce jaggedness in the image.

Miller discloses modifying image data by edge enhancement process to reduce jaggedness in the image (figure 3a(92) and column 7, lines 55-57 of Miller). Edge enhancement is performed before many of the other operations (figure 3a(108) and column 8, lines 54-67 of Miller), such as color adjustment (or "tweaking") (column 8, lines 64-67 of Miller).

Hayashi in view of Yamaguchi is combinable with Miller because they are from the same field of endeavor, namely halftoning and image processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to enhance the edges in the image data, thus reducing the jaggedness, prior to color tweaking. The motivation for doing so would have been to adjust for the attributes of a particular printing device (column 8, lines 62-64 of Miller). Therefore, it would have been obvious to combine Miller with Hayashi in view of Yamaguchi to obtain the invention as specified in claim 7.

Response to Arguments

4. Applicant's arguments, see page 9, lines 2-9, filed 11 May 2004, with respect to the drawings have been fully considered and are persuasive. The objections to the drawings in item 1 of the first office action, dated 13 February 2004, have been withdrawn.

5. Applicant's arguments, see page 9, line 17 to page 10, line 5, filed 11 May 2004, have been fully considered but they are not persuasive. Applicant's arguments are based on the amended claim 1 and not claim 1 as originally filed. Applicant's arguments are addressed in the rejection of claims 1 and 12 under 35 U.S.C. §103, as discussed above in item 2, on pages 2-5 of the present office action.

6. Applicant's arguments, see page 10, lines 5-22, filed 11 May 2004, have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., individual data point preference color tweaking on color separation files; and independent color channel preference tweaking) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Despite Applicant's contention on page 10, lines 15-16 of Applicant's arguments, said features are not specifically recited in claim 1.

7. Applicant's arguments, see page 10, line 23 to page 11, line 5, filed 11 May 2004, have been fully considered but they are not persuasive. The limitations specifically recited in claim 2 have been met by the cited prior art, as discussed in the arguments regarding claim 2 listed above in item 2, on pages 5-6 of the present office action.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the plural halftone processes are run in parallel) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, on page 10, lines 31-34 of Applicant's arguments, Applicant suggests some possible problems with the reference cited, and therefore a supposed benefit of the application over the prior art. However, Applicant does not demonstrate how the claims as recited patentably distinguish over the prior art.

8. Applicant's arguments, see page 11, lines 6-23, filed 11 May 2004, have been fully considered but they are not persuasive. The arguments regarding claim 3, which are in item 2, on page 6 of the present office action, clearly states that "[t]he factors by which said halftone data is altered as said halftone data passes through said image quality correction circuit and said gradation adjustment processor are essentially the blending coefficients." The limitations of the claim 3 have been met in the prior art, as

discussed in the arguments regarding claim 3. Furthermore, on page 11, lines 14-18 of Applicant's arguments, Applicant suggests some possible problems with the reference cited, and therefore a supposed benefit of the application over the prior art. However, Applicant does not demonstrate how the claims as recited patentably distinguish over the prior art.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., parallel running plural halftone processes) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

9. Applicant's arguments, see page 11, line 24 to page 12, line 9, filed 11 May 2004, have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., modifying image data subsequent to color tweaking to form a binary image data file and subjecting the binary image file to an edge enhancement process to reduce raggedness in the image; and individual data point preference color tweaking on color separation files) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Despite Applicant's contention on page 11, lines 30-31 and line 34 and on page 12, line 7 of Applicant's arguments, said features are not specifically recited in claims 8 and/or 9.

10. Applicant's arguments, page 12, line 10 to page 13, line 8, filed 11 May 2004, have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., individual data point preference color tweaking on color separation files; preference color tweaking of the already rasterized color image data; and independent color channel preference color tweaking) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Despite Applicant's contention on page 12, lines 18-19 and line 25 and on page 13, lines 6-7 of Applicant's arguments, said features are not specifically recited in either claim 10 or claim 11.

11. Applicant's arguments, see page 13, line 9 to page 14, line 18, filed 11 May 2004, have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., preference color tweaking of the already rasterized color image data; individual

data point preference color tweaking on color separation files; and independent color channel preference color tweaking) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Despite Applicant's contention on page 14, line 11 of Applicant's arguments, said features are not specifically recited in claim 12.

12. Applicant's arguments, see page 14, line 19 to page 15, line 13, filed 11 May 2004, have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., generate a blending coefficient for use in blending the parallel running plural halftone processes) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, on page 14, lines 28-30 of Applicant's arguments, Applicant suggests some possible problems with the reference cited, and therefore a supposed benefit of the application over the prior art. However, Applicant does not demonstrate how the claims as recited patentably distinguish over the prior art.

On page 15, lines 3-5 of Applicant's arguments, Applicant argues that Miller does not teach enhancement on color separations and blending. However, Examiner has not suggested that Miller teaches enhancement on color separations and blending. In fact,

referring to the arguments regarding claims 4 and 5, which are listed above in item 3 and on pages 8-9 of the first office action, dated 13 February 2004, Examiner states that "Miller discloses subjecting the binary image file to an edge enhancement process to reduce jaggedness in the image (column 9, lines 50-52 of Miller)." Examiner then combines the references by showing how they combine together and the motivation for doing so, as is standard Office practice.

On page 15, lines 5-7 of Applicant's arguments, Applicant argues that Hayashi and Miller do not teach generation of blending coefficients as specifically recited in claim 4. Said generation is specifically recited in claim 3, upon which claim 4 depends, and is, in fact, taught by Hayashi, as discussed above in the arguments regarding claim 3. Furthermore, Hayashi in view of Yamaguchi and Miller teaches the limitations recited in claims 4 and 5, as discussed above in item 3, on pages 8-9 of the present office action.

13. Applicant's arguments, see page 15, line 14 to page 16, line 8, filed 11 May 2004, have been fully considered but they are not persuasive. Hayashi in view of Yamaguchi and Miller teach the limitations of claim 6, as discussed above in item 3, on page 9. The section of Miller that Applicant cites on page 15, line 15 of Applicant's arguments is not relevant to the discussion of claim 6 and is not used by Examiner as the basis for rejecting claim 6. Furthermore, on page 16, lines 1-5 of Applicant's arguments, Applicant states that Hayashi and Miller do not teach the limitations cited therein. The limitations cited on page 16, lines 1-5 of Applicant's arguments have been discussed in the arguments regarding claim 1 and the arguments regarding claim 6.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., preference color tweaking of the already rasterized color image data; individual data point preference color tweaking on color separation files; and independent color channel preference color tweaking) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

14. Applicant's arguments, see page 16, line 9 to page 17, line 6, filed 11 May 2004, have been fully considered but they are not persuasive.

On page 16, line 16 of Applicant's arguments, Applicant argues that Miller does not teach enhancement on color separations. However, Examiner has not suggested that Miller teaches enhancement on color separations. Furthermore, the section of Miller cited on page 16, line 17 of Applicant's arguments are not relevant to claim 7 and are not cited by Examiner as evidence that the prior art teaches the limitations of claim 7. Hayashi and Miller are combined together to teach the limitations of claim 7, as discussed above in the arguments regarding claim 7.

Applicant's arguments on page 16, line 31 to page 17, line 3 refer to limitations specifically recited in claim 7 and in amended claim 1, upon which claim 7 depends. The limitations of claims 1 and 7 have been met, as discussed above in the arguments regarding claims 1 and 12 and the arguments regarding claim 7.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., preference color tweaking of the already rasterized color image data; individual data point preference color tweaking on color separation files; and independent color channel preference color tweaking) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A Thompson whose telephone number is 703-305-6329. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on 703-308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Thompson
Examiner
Art Unit 2624

JAT
July 19, 2004



THOMAS D.
~~THOMAS~~ LEE
PRIMARY EXAMINER